IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 14453 of 2004

Between:

L. Narasimha Reddy S/o. Pedda Gangi Reddy Brahmana Palli, Pattaparthy Mandalam, Anantapur District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Puttaparthy.
2 The Revenue Divisional Offier, Penukonda, Anantapur District.
3 The Joint Collector, (Civil Supply) Anantapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ Order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned proceedings issued in Rc.No.1128/04 Dt. 14.7.04 issued by the 2nd respondent as illegal, arbitrary, biased, unconstitutional and against the principles of Natural Justice and same bay be set aside and pass such other order or orders as this Hon'ble Court may deem fit, just and necessary in the circumstances of the case.

Counsel for the Petitioner: MR.J.SREENIVASULU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

Petitioner is an authorized Fair Price Shop Dealer in respect of the Fair Price Shop of Brahmanapalli, Puttaparthy Mandal, Ananthapur District. His authorisation was suspended on 14.07.2004 by the Revenue Divisional Officer, Penukonda, Ananthapur District, pending enquiry into certain allegations. It appears that thereafter the petitioner was not allowed to distribute the essential commodities and some alternative arrangements were made.

Admittedly, against the impugned order, alternative remedy is available under the Statute by way of appeal to the Joint Collector. Since the petitioner has failed to exhaust the alternative remedy, this writ petition cannot be maintained. Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the statutory remedy available against the impugned order of suspension. No costs.

_____

16.08.2004

VGB

To

1 The Mandal Revenue Officer, Puttaparthy.
2 The Revenue Divisional Offier, Penukonda, Anantapur District.
3 The Joint Collector, (Civil Supply) Anantapur.

4 2CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT)

5 2CD copies